

भारत का राजपत्र

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EXTRAORDINARY

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PART II—Section 2

प्रधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि पहला संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 14th March, 1968:—

BILL No. 17 OF 1968

A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1968-69.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. This Act may be called the Appropriation (Vote on Account) Short title.

With-
drawal
of Rs.
29,40,75,
42,000
from and
out of the
Consoli-
dated
Fund of
India for
the
financial
year
1968-69.

Appro-
priation.

2. From and out of the Consolidated Fund of India there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of two thousand nine hundred and forty crores, seventy-five lakhs and forty-two thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1968-69. 5

3. The sums authorised to be withdrawn from and out of the Consolidated Fund by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

5 No. of Vote	Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	
10	1 Ministry of Commerce . . .	7,78,000	..	7,78,000
	2 Foreign Trade . . .	13,89,33,000	1,000	13,89,34,000
	3 Other Revenue Expenditure of the Ministry of Commerce . . .	3,38,04,000	..	3,38,04,000
	4 Ministry of Defence . . .	14,71,000	..	14,71,000
15	5 *Defence Services—Effective . . .	1,52,50,67,000	1,67,000	1,52,52,34,000
	*Details as in Annexure.			
	6 Defence Services—Non-effective . . .	4,70,83,000	..	4,70,83,000
	7 Ministry of Education . . .	16,27,000	..	16,27,000
	8 Education . . .	9,51,69,000	..	9,51,69,000
20	9 Archaeology . . .	22,89,000	..	22,89,000
	10 Survey of India . . .	89,74,000	..	89,74,000
	11 Grants to the Council of Scientific and Industrial Research . . .	3,18,42,000	..	3,18,42,000
	12 Other Revenue Expenditure of the Ministry of Education . . .	59,14,000	..	59,14,000
	13 External Affairs . . .	2,98,86,000	..	2,98,86,000
	14 Other Revenue Expenditure of the Ministry of External Affairs . . .	3,34,22,000	..	3,34,22,000
30	15 Ministry of Finance . . .	46,44,000	..	46,44,000

I	2	3			
No. of Vote	Service and purposes	Sums not exceeding			5
		Voted by Parliament	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
16	Customs . . .	1,15,33,000	8,000	1,15,41,000	
17	Union Excise Duties . . .	2,69,65,000	8,000	2,69,73,000	
18	Taxes on Income including Corporation Tax, etc. . .	2,15,80,000	19,000	2,15,99,000	10
19	Stamps . . .	89,71,000	..	89,71,000	
20	Audit . . .	3,75,83,000	5,78,000	3,81,61,000	
21	Currency and Coinage . . .	2,53,96,000	..	2,53,96,000	
22	Mint . . .	65,91,000	..	65,91,000	15
23	Kolar Gold Mines . . .	90,94,000	..	90,94,000	
24	Pensions and other Retirement Benefits . . .	1,65,75,000	5,16,000	1,70,90,000	
25	Opium . . .	2,50,07,000	..	2,50,07,000	
26	Other Revenue Expenditure of the Ministry of Finance	6,80,83,000	29,000	6,81,12,000	20
27	Grants-in-aid to State and Union Territory Governments	55,96,48,000	37,61,70,000	93,58,18,000	
28	Miscellaneous Adjustments between the Central, State and Union Territory Governments	4,70,000	..	4,70,000	25
29	Pre-partition Payments . . .	44,000	1,16,000	1,60,000	
	CHARGED.—Interest on Debt and other obligations and Reduction or Avoidance of Debt . . .	..	90,89,33,000	90,89,33,000	30
	CHARGED.—Payment of States' Share of Union Excise Duties	..	22,29,40,000	22,29,40,000	
30	Ministry of Food, Agriculture, Community Development and Co-operation . . .	27,01,000	..	27,01,000	35
31	Agriculture . . .	1,72,79,000	..	1,72,79,000	
32	Payments to Indian Council of Agricultural Research . . .	2,42,87,000	..	2,42,87,000	
33	Forest . . .	27,76,000	..	27,76,000	40

No. of Vote 5	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
10	34 Other Revenue Expenditure of the Ministry of Food, Agriculture, Community Development and Co-operation	4,15,95,000	4,91,000	4,20,86,000
	35 Ministry of Health, Family Planning and Urban Development	6,82,000	..	6,82,000
15	36 Medical and Public Health	3,84,14,000	..	3,84,14,000
	37 Other Revenue Expenditure of the Ministry of Health, Family Planning and Urban Development	16,47,000	..	16,47,000
20	38 Ministry of Home Affairs	24,81,000	..	24,81,000
	39 Cabinet	11,17,000	..	11,17,000
	40 Administration of Justice	42,000	4,42,000	4,84,000
	41 Police	7,58,84,000	..	7,58,84,000
	42 Census	21,91,000	..	21,91,000
25	43 Statistics	58,97,000	..	58,97,000
	44 Privy Purses and Allowances of Indian Rulers	44,000	1,20,30,000	1,20,74,000
	45 Territorial and Political Pensions	3,13,000	..	3,13,000
	46 Delhi	6,22,58,000	2,41,000	6,24,99,000
30	47 Chandigarh	99,64,000	3,76,000	1,03,40,000
	48 Andaman and Nicobar Islands	1,19,38,000	..	1,19,38,000
	49 Tribal Areas	4,11,30,000	..	4,11,30,000
	50 Dadra and Nagar Haveli Area	9,39,000	..	9,39,000
	51 Laccadive, Minicoy and Aminivis Islands	17,98,000	..	17,98,000
35	52 Other Revenue Expenditure of the Ministry of Home Affairs	1,79,08,000	..	1,79,08,000
	53 Ministry of Industrial Development and Company Affairs	13,21,000	..	13,21,000
40	54 Industries	73,24,000	1,67,000	74,91,000
	55 Salt	10,02,000	..	10,02,000

No. of Vote	Services and purposes	Sums not exceeding			5
		Voted by Parliament	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
56	Other Revenue Expenditure of the Ministry of Industrial Development and Company Affairs . . .	18,97,000	..	18,97,000	10
57	Minstry of Information and Broadcasting . . .	3,49,000	..	3,49,000	
58	Broadcasting . . .	1,69,16,000	..	1,69,16,000	15
59	Other Revenue Expenditure of the Ministry of Information and Broadcasting . . .	1,01,02,000	..	1,01,02,000	
60	Ministry of Irrigation and Power . . .	5,92,000	..	5,92,000	
61	Multi-purpose River Schemes . . .	37,61,000	..	37,61,000	
62	Other Revenue Expenditure of the Ministry of Irrigation and Power . . .	1,43,09,000	..	1,43,09,000	20
63	Ministry of Labour, Employment and Rehabilitation . . .	13,62,000	..	13,62,000	
64	Director General, Mines Safety . . .	8,87,000	..	8,87,000	25
65	Labour and Employment . . .	2,53,10,000	7,000	2,53,11,000	
66	Expenditure on Displaced Persons . . .	2,14,71,000	7,000	2,14,78,000	
67	Other Revenue Expenditure of the Ministry of Labour, Employment and Rehabilitation . . .	3,03,000	..	3,03,000	30
68	Ministry of Law . . .	11,47,000	..	11,47,000	
69	Other Revenue Expenditure of the Ministry of Law . . .	27,22,000	..	27,22,000	
70	Ministry of Petroleum and Chemicals . . .	4,80,000	..	4,80,000	35
71	Other Revenue Expenditure of the Ministry of Petroleum and Chemicals . . .	14,21,000	..	14,21,000	
72	Ministry of Steel, Mines and Metals . . .	6,63,000	..	6,63,000	40
73	Geological Survey . . .	1,83,48,000	..	1,83,48,000	
74	Other Revenue Expenditure of the Ministry of Steel, Mines and Metals . . .	2,91,97,000	29,000	2,92,26,000	45

I No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	
5	75 Ministry of Tourism and Civil Aviation . . .	3,25,000	.	3,25,000
	76 Meteorology . . .	62,50,000	..	62,50,000
10	77 Aviation . . .	2,02,17,000	..	2,02,17,000
	78 Other Revenue Expenditure of the Ministry of Tourism and Civil Aviation . . .	36,55,000	.	36,55,000
15	79 Ministry of Transport and Shipping . . .	22,46,000	..	22,46,000
	80 Roads . . .	2,55,68,000	..	2,55,68,000
	81 Mercantile Marine . . .	39,73,000	..	39,73,000
	82 Lighthouses and Lightships . .	23,23,000	..	23,23,000
20	83 Other Revenue Expenditure of the Ministry of Transport and Shipping . . .	64,84,000	..	64,84,000
	84 Ministry of Works, Housing and Supply . . .	18,61,000	..	18,61,000
	85 Public Works . . .	6,56,64,000	7,66,000	6,64,30,000
25	86 Stationery and Printing . .	2,24,43,000	..	2,24,43,000
	87 Supplies and Disposals . .	69,75,000	..	69,75,000
	88 Other Revenue Expenditure of the Ministry of Works, Housing and Supply . . .	31,87,000	33,000	32,20,000
30	89 Department of Atomic Energy . .	5,04,000	..	5,04,000
	90 Other Revenue Expenditure of the Department of Atomic Energy . . .	2,80,51,000	..	2,80,51,000
	91 Department of Communications . .	2,33,000	..	2,33,000
35	92 Overseas Communications Service . .	45,90,000	..	45,90,000
	93 Posts and Telegraphs (Working Expenses) . . .	34,31,31,000	2,000	34,31,33,000
	94 Posts and Telegraphs—Dividend to General Revenues, Appropriations to Reserve Funds and Repayment of Loans from General Revenues . .	4,72,03,000	..	4,72,03,000
40				

1 No. of Vote	2 Services and purposes	3 Sums not exceeding			5 Rs.
		4 Voted by Parliament	Charged on the Consolidated Fund	6 Total	
95	Other Revenue Expenditure of the Department of Communications . . .	5,75,000	..	5,75,000	10
96	Department of Parliamentary Affairs . . .	1,10,000	..	1,10,000	
97	Department of Social Welfare . . .	3,10,000	..	3,10,000	
98	Other Revenue Expenditure of the Department of Social Welfare . . .	66,97,000	..	66,97,000	15
99	Planning Commission . . .	26,50,000	..	26,50,000	
100	Lok Sabha . . .	26,63,000	12,000	26,75,000	
101	Rajya Sabha . . .	9,80,000	12,000	9,92,000	
	CHARGED.— <i>Staff, Household and Allowances of the President</i> . . .	..	6,16,000	6,16,000	20
102	Secretariat of the Vice-President . . .	49,000	..	49,000	
	CHARGED.— <i>Union Public Service Commission</i> . . .	..	14,49,000	14,49,000	25
103	Capital Outlay of the Ministry of Commerce . . .	11,49,000	..	11,49,000	
104	Defence Capital Outlay . . .	21,75,83,000	5,84,000	21,81,67,000	
105	Capital Outlay of the Ministry of Education . . .	11,05,000	..	11,05,000	30
106	Capital Outlay on the India Security Press . . .	7,87,000	..	7,87,000	
107	Capital Outlay on Currency and Coinage . . .	3,26,59,000	..	3,26,59,000	
108	Capital Outlay on Mints . . .	13,14,000	..	13,14,000	35
109	Capital Outlay on Kolar Gold Mines . . .	19,04,000	..	19,04,000	
110	Commututed Value of Pensions . . .	80,08,000	25,000	80,33,000	
111	Other Capital Outlay of the Ministry of Finance . . .	44,17,000	..	44,17,000	40

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
10	112 Capital Outlay on Grants to State Governments for Development . . .	8,62,64,000		8,62,64,000
15	113 Loans and Advances by the Central Government . . .	86,53,57,000	1,42,97,00,000	2,29,50,57,000
	CHARGED.—Repayment of Debt . . .	..	19,08,00,00,000	19,08,00,00,000
20	114 Purchase of Foodgrains and Fertilizers . . .	1,44,70,64,000	17,000	1,44,70,81,000
25	115 Other Capital Outlay of the Ministry of Food, Agriculture, Community Development and Co-operation . . .	4,49,19,000	18,000	4,49,37,000
30	116 Capital Outlay of the Ministry of Health, Family Planning and Urban Development . . .	2,63,43,000	..	2,63,43,000
35	117 Capital Outlay in Union Territories and Tribal Areas . . .	3,94,59,000	[21,50,000	4,16,90,000
40	118 Other Capital Outlay of the Ministry of Home Affairs . . .	12,53,000	..	12,53,000
45	119 Capital Outlay of the Ministry of Industrial Development and Company Affairs . . .	1,72,32,000	..	1,72,32,000
	120 Capital Outlay of the Ministry of Information and Broadcasting . . .	1,33,79,000	..	1,33,79,000
	121 Capital Outlay on Multi-purpose River Schemes . . .	2,97,29,000	..	2,97,29,000
	122 Other Capital Outlay of the Ministry of Irrigation and Power . . .	2,62,69,000	..	2,62,69,000
	123 Capital Outlay of the Ministry of Labour, Employment and Rehabilitation . . .	1,05,46,000	2,000	1,05,48,000
	124 Capital Outlay of the Ministry of Petroleum and Chemicals . . .	3,02,85,000	..	3,02,85,000
	125 Capital Outlay of the Ministry of Steel, Mines and Metals . . .	23,37,76,000	..	23,37,76,000
	126 Capital Outlay on Aviation . . .	1,34,51,000	58,000	1,35,09,000

No. of Vote	Services and purposes	Sums not exceeding			5
		Voted by Parliament	Charged on the Consolidated Fund	Total	
127	Other Capital Outlay of the Ministry of Tourism and Civil Aviation . . .	Rs. 97,63,000	Rs.	97,63,000	
128	Capital Outlay on Roads . . .	6,88,46,000	42,000	6,88,88,000	10
129	Capital Outlay on Ports . . .	35,83,000	..	35,83,000	
130	Other Capital Outlay of the Ministry of Transport and Shipping . . .	46,61,000	..	46,61,000	
131	Delhi Capital Outlay . . .	1,15,17,000	1,50,000	1,16,67,000	15
132	Capital Outlay on Public Works . . .	1,24,17,000	83,000	1,25,00,000	
133	Other Capital Outlay of the Ministry of Works, Housing and Supply . . .	2,95,000		2,95,000	20
134	Capital Outlay of the Department of Atomic Energy . . .	7,95,83,000	..	7,95,83,000	
135	Capital Outlay on Posts and Telegraphs (Not met from Revenue) . . .	10,25,25,000	..	10,25,25,000	25
136	Other Capital Outlay of the Department of Communications . . .	95,84,000	..	95,84,000	
GRAND TOTAL . . .		7,36,85,55,000	22,03,89,87,000	29,40,75,42,000	

ANNEXURE

**DETAILS IN RESPECT OF DEFENCE SERVICES—EFFECTIVE, SPECIFIED IN
ITEM 5 OF THE SCHEDULE**

	Sums not exceeding		
	Voted by Parliament	Charged on the Consolidated Fund	Total
	Rs.	Rs.	Rs.
Army (including Defence Production).	1,18,11,57,000	1,43,000	1,18,13,00,000
Navy . . .	6,36,93,000	7,000	6,37,00,000
Air Force . . .	28,02,17,000	17,000	28,02,34,000
	1,52,50,67,000	1,67,000	1,52,52,34,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 116 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by the Lok Sabha in respect of the estimated expenditure of the Central Government, excluding Railways, for a part of the financial year 1968-69.

MORARJI DESAI.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. F.3(9)-B/68, dated the 8th March, 1968 from Shri Morarji Desai, Deputy Prime Minister and Minister of Finance to the Secretary, Lok Sabha.]

The President having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1968-69, recommends under article 117(1) and (3) of the Constitution of India read with article 116(2) thereof, the introduction of the Appropriation (Vote on Account) Bill, 1968 in the Lok Sabha and also the consideration of the Bill.

2. The Bill will be introduced in the Lok Sabha immediately after the Demands for Grants, 'on account' for expenditure of the Central Government (excluding Railways) for the year 1968-69 have been voted.

BILL No. 8 OF 1968

A Bill further to amend the Constitution of India.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, Short title. 1968.
2. In article 16 of the Constitution, in clause (4), the following Amend-
ment of
article 16. shall be added at the end, namely:—
“and for providing employment, promotions, etc., to them”.

Substitution of article 335.

3. For article 335 of the Constitution, the following article shall be substituted, namely:—

Claims of Scheduled Castes, Scheduled Tribes and other backward classes to services and posts.

“335. The claims of the members of the Scheduled Castes, Scheduled Tribes and other backward classes shall be taken into consideration in the making of appointments, providing employment and promotions to services and posts in connection with the affairs of the Union or of a State”.

5

STATEMENT OF OBJECTS AND REASONS

In their judgement dated the 29th September, 1967 in the C.A. Rajandran *versus* the Union of India and others, the Supreme Court has held that article 16(4) does not confer any right on the petitioner and there is no constitutional duty imposed on the Government to make a reservation for Scheduled Caste and Scheduled Tribe candidates, either at the initial stage of recruitment or at the stage of promotion.

Although article 340(1) of the Constitution provides for the appointment of a Commission to investigate the conditions of socially and educationally backward classes within the territory of India and the difficulties under which they labour and to make recommendations as to the steps that should be taken by the Union or any State to remove such difficulties and to improve their conditions, nothing substantial has so far been done in this regard. It is, therefore, necessary to make specific provisions in the Constitution for such matters.

Hence the Bill.

NEW DELHI;
The 22nd January, 1968.

RAM SEWAK YADAV.

BILL No. 11 OF 1968

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Constitution (Amendment) Act, 1968.

**Amend-
ment of
article
75.**

2. In article 75 of the Constitution, clause (2) shall be omitted. 3

3. In article 164 of the Constitution, in clause (1), the words "and the Ministers shall hold office during the pleasure of the Governor" shall be omitted.

Amend-
ment of
article
164.

STATEMENT OF OBJECTS AND REASONS

According to the established traditions and practices of parliamentary democracy and responsible Government, the Chief Executive of the State in India both in regard to the Union Government i.e., the President of the Republic and also in regard to Government of a State, i.e., the Governor, is to function as a constitutional head, who carries out the clearly expressed wishes of the majority in the popularly elected House of the Legislature. The functions of the President and the Governor are, therefore, exercised with the aid and advice of their Council of Ministers, who are collectively responsible to the popularly elected Legislature. This has been provided in the Constitution under articles 74(1), 75(1) and 75(3) in regard to the Centre and under articles 163(1), 164(1) and 164(2) in regard to the States. In this background, the power given by the Constitution to the President of the Republic, in regard to the appointment and dismissal of the Prime Minister and the Council of Ministers of the Union Government and the similar power given to Governors of States, in regard to the appointment and dismissal of the Chief Ministers and the Councils of Ministers of the State Governments, are clearly intended to be so exercised as to ensure the scrupulous reflection of the formally registered decision of the majority in Lok Sabha or the State Assembly, as the case may be. This logically implies that the tenure of office of the Council of Ministers in both cases is dependent on the will of the majority of the elected House of the Legislature i.e., Lok Sabha or the State Assembly concerned. The Council of Ministers must be dismissed from office only with a prior decision, registered in the House of the Legislature concerned and not, in any case, on the basis of a subjective judgment on the part of the Chief Executive of the State whether the President or the Governor of the State if the Council of Ministers has lost the confidence of the majority. In order to remove any misunderstanding or misinterpretation of the provisions of the Constitution in this regard, all references to the Council of Ministers holding office 'during the pleasure' of the President, or of the Governor, are sought to be deleted from articles 75 and 164 of the Constitution.

NEW DELHI;

TRIDIB CHAUDHURI.

The 11th February, 1968.

BILL No. 13 of 1968

A Bill to amend the Commissions of Inquiry Act, 1952.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Commissions of Inquiry Short title
(Amendment) Act, 1968. and com-
mence-

(2) It shall come into force on such date as the Central Govern- ment.
ment may, by notification in the Official Gazette, appoint.

60 of 1962.

end-
nt of
ction 3. 2. In section 3 of the Commissions of inquiry Act, 1952, to sub-section (1), the following further proviso shall be added, namely:—

“Provided further that where the Central Government appoints a one-man Commission for the purpose of making an inquiry into any definite matter of public importance with reference to any member of the Council of Ministers of the Union or of any State, then such Commission shall consist of only a sitting or retired Judge of the Supreme Court of India.”

STATEMENT OF OBJECTS AND REASONS

The Commissions of Inquiry Act, 1952 was enacted in order to authorise the Government to appoint an inquiring authority on any matter of public importance, whenever considered necessary or when a demand to that effect is made in the House of the People or in Legislative Assembly of a State. If such an enquiry is with reference to any member of the Council of Ministers of the Union or of any State, then it is of much public importance and in order to inspire confidence it would be in fitness of things to entrust the same only to a person who has worked or is working as a Judge of the Supreme Court of India. Such entrustment is desirable inasmuch as a sitting or retired Judge of the Supreme Court can have no higher appointment or promotion whereas the possibility of allurement or of an offer of promotion to higher appointment cannot be ruled out for a person of a lesser status. With this object in view the appropriate amendment in the aforesaid Act is desirable.

Hence this Bill.

OM PRAKASH TYAGI.

NEW DELHI;
The 12th February, 1968.

S. L. SHAKDHER,

Secretary.

